

PATENT
S/N: 09/753,726

Docket No. 1232-4671

REMARKS

Applicants respectfully request reconsideration of this application in view of the foregoing amendments and the following remarks.

CLAIM STATUS

Claims 1-43 are pending in the application. Of the pending claims, claims 1 and 19 are independent in form. Claims 1-4, 6, 9-16, 18-22, 24, 27-34 and 38-43 are rejected. Claims 5, 7, 8, 17, 23, 25, 26 and 35- 37 are objected to. By this paper, claims 1, 6, 7, 15, 17, 19, 24, 25, 35 and 41 are amended, and new independent claims 44 and 45 are added. No new matter is presented.

Claims 4, 5, 16, 22, 23 and 34 are herein canceled without prejudice or disclaimer, rendering the respective rejections of and objections to these claims moot. Accordingly Applicants respectfully request that the rejections and objections stated for claims 4, 5, 16, 22, 23 and 34 be withdrawn.

Rejections Under 35 U.S.C. §103

Claims 1-4, 6, 9-16, 18-22, 24, 27-34 and 38-43 have been rejected under 35 U.S.C. §103(a) as allegedly being unpatentable over U.S. Patent No. 6,385,621 to Frisina ("Frisina") in view of U.S. Patent No. 5,767,848 to Matsuzaki et al. ("Matsuzaki"), both references being previously cited. (See Office Action, ¶4.) Applicants respectfully traverse the stated rejections as follows.

Applicants respectfully disagree with the Examiner's attribution of the elements of the claimed invention to Frisina and Matsuzaki as stated in the pending rejections and believe that the claimed elements are not found in the cited prior art references taken separately or

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combined. Nonetheless, to expedite prosecution, the pending claims have been amended to further clarify the claimed invention.

With the amendments presented herein, independent claim 1 has been amended to include all the limitations of objected to claims 4 and 5 and independent claim 19 has been amended to include all the limitations of objected to claims 22 and 23. Claims 17 and 35 which were objected to for depending from a rejected base claim have been amended to be in independent form and incorporate limitations of any intervening claims (specifically, the limitations of claims 1 and 16 have been incorporated into claim 17, and the limitations of claims 19 and 34 have been incorporated into claim 35). Accordingly, Applicants believe independent claims 1, 17, 19 and 35 as presented herein, as well as any claims depending therefrom, are in condition for allowance.

New Claims 44 and 45

Independent claim 44 recites similar subject matter as that of claim 17 and independent claim 45 is a method claim counterpart to apparatus claim 44. Claims 44 and 45 are believed allowable for at least similar reasons as claim 17, including that the limitation noted by the Examiner on page 9, ¶ 6 of the Office Action is recited in claims 44 and 45.

Accordingly, as neither of Frisina nor Matsuzaki, taken alone or in combination, teach or suggests the claimed subject matter for at least the stated reasons, the invention as recited in independent claims 1, 17, 19, 35, 44 and 45 is believed patentable.

Dependent Claims

Applicants have not independently addressed the rejections of or objections to the remaining dependent claims because, as the independent claims from which the dependent claims depend are allowable for at least the reasons discussed *supra*, the dependent claims are

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believed allowable for at least similar reasons. Applicants however, reserve the right to address such rejections should such response be necessary and appropriate.

Thus, Applicants respectfully submit that the invention as recited in claims 1-45 as presented herein is neither anticipated by, nor rendered obvious in view of, the cited references Frisina and/or Matsuzaki, taken individually or in combination, and respectfully request that the rejections in view thereof, and the stated objections be withdrawn.

CONCLUSION

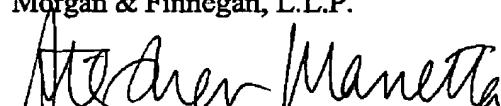
In view of the foregoing, Applicants submit that claims 1-45 as herein presented are allowable over the prior art of record and that the application hereby placed in condition for allowance which action is earnestly solicited.

Applicants believe no additional fees are required for this paper and that no extension of time is required. However, should an extension of time be necessary to render this filing timely, such is hereby petitioned, and the Commissioner is hereby authorized to charge any additional fees which may be required for this paper, or credit any overpayment, to Deposit Account No. 13-4500, Order No. 1232-4671.

In the event that a telephone conference would facilitate prosecution, the Examiner is invited to contact the undersigned at the number provided.

Respectfully submitted,
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By:


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Dated: September 20, 2004

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